

FILED

APR 30 2020

CLERK, U.S. DISTRICT CLERK
WESTERN DISTRICT OF TEXAS
BY DMJ DEPUTY

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
WESTERN DIVISION

MOHAMMAD Q. MAHMOOD,
Plaintiff,

vs.

HON. RICK KENNON,
Defendant.

1:20 CV 0469 LY
CIVIL ACTION NO.
[* *]

PLAINTIFF, MOHAMMAD Q. MAHMOOD'S, ORIGINAL COMPLAINT
AND JURY DEMAND

TO THE HONORABLE JUDGE OF SAID COURT:

NOW COMES MOHAMMAD Q. MAHMOOD, hereinafter called Plaintiff, complaining of and about HON. RICK KENNON, hereinafter called Defendant, and for cause of action shows unto the Court the following:

PARTIES AND SERVICE

1. Plaintiff MOHAMMAD Q. MAHMOOD, is a citizen of the United States and the State of Texas and resides in Travis County, Texas.

2. Defendant HON. RICK KENNON, an Individual who is a resident of Texas, may be served by Telecopier/FAX: (512) 943-1285 Service of said Defendant as described above can be effected by certified electronic delivery confirmation of receipt. A copy will also be emailed to the Honorable Judge at: rkennon@wilco.org as the Honorable Judge has informed he is not represented by counsel.

JURISDICTION

3. The action arises under The Western Federal District Court of Texas in Austin, Texas as hereinafter more fully appears.

4. This Court has supplemental jurisdiction over state law claims discussed below under 28 U.S.C. Section 1367(a) because they arise out of the same case or controversy.

FACTS

7. Respondent is the Honorable District Judge of the 368th District Court of Williamson County, Texas and is going to be presiding in four consolidated lawsuits filed by plaintiff regarding Modification of Parent Child Relationship, Sibling Access, Interference with Possessory interest of a Child and Child Support over payments for the last twenty six months.

Petitioner despite his HIPPA rights was caused by the County to release personal medical records that relate to his multiple disabilities (mental and other chronic ADA recognized Disabilities and Petitioner requested special accommodations that were immediately denied by the Honorable Judge Rick Kennon despite knowing full well the fact (documented) about petitioners chronic disabilities that severely limit his daily life functions. Honorable Rick Kennon acted out of malice, conceived notions, disbelief of facts, denial of ADA accommodations rights for people with disabilities and forced

Petitioner to present himself for trial for one week in July 2020 a fact that Petitioner is unable to satisfy due to his chronic disabilities and strong recommendations by Petitioners treating medical specialists that Petitioner slow the pace of trial due to his chronic health conditions, a fact the Honorable Judge completely disregarded in an email to petitioner.

AMERICANS WITH DISABILITY ACT

8. Defendant, HON. RICK KENNON, intentionally engaged in unlawful employment practices involving Plaintiff because of his disability.

Plaintiff was discriminated against on the basis of his disability, record of a disability and perception of having a disability.

11. Plaintiff alleges that Defendant, HON. RICK KENNON, discriminated against Plaintiff on the basis of disability with malice or with reckless indifference to the protected rights of Plaintiff.

**INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS
BY HON. RICK KENNON**

16. Defendant HON. RICK KENNON, intentionally or recklessly The collective actions and orders and communications of Hon. Rick Kennon caused sever mental anguish, torment, pain and suffering to an already mentally impaired person with mental disabilities. Defendant's conduct was extreme and outrageous

and proximately caused Plaintiff severe emotional distress. Plaintiff suffered damages for which Plaintiff herein sues.

INVASION OF PRIVACY BY HON. RICK KENNON

17. Defendant HON. RICK KENNON, intentionally invaded Plaintiff's privacy by intruding on his solitude, seclusion, or private affairs. This invasion was highly offensive to Plaintiff and would be highly offensive to a reasonable person. Plaintiff was injured because of the conduct of Defendant. Plaintiff could not sleep for days because of shame and rejection by a public officer of the law that Plaintiff respected and expected to uphold the laws of the land.. Plaintiff suffered damages for which Plaintiff herein sues.

18. Defendant HON. RICK KENNON, publicized facts regarding Plaintiff's private life which were not of legitimate public concern. The publicity was highly offensive to Plaintiff and would be highly offensive to a reasonable person. Plaintiff was injured as a result of the conduct of Defendant. Facts of Plaintiffs disabilities were openly joked about and made mockery of throughout the Williamson County, Complex. TX. Plaintiff suffered damages for which Plaintiff herein sues.

LIBEL BY HON. RICK KENNON

20. Defendant HON. RICK KENNON, negligently published a false statement of fact referring to Plaintiff which injured

Plaintiff's reputation, impeached Plaintiff's honesty, exposed a natural defect, imputed a crime against Plaintiff and imputed a disease against Plaintiff. Plaintiff suffered damages for which Plaintiff herein sues.

MALICIOUS CRIMINAL PROSECUTION BY HON. RICK KENNON

21. Defendant HON. RICK KENNON, initiated or procured a criminal prosecution against Plaintiff. Plaintiff was innocent of the criminal charge and the prosecution was terminated in Plaintiff's favor. Defendant acted with malice and without probable cause in initiating the prosecution and Plaintiff was injured as a result. A motion to Revoke Probation was and is pending in a separate case in the Honorable Rick Kennon;s court and Plaintiff strongly believes that the Honorable Judge will act in malice and prejudice despite Plaintiff's complete innocence. Plaintiff suffered damages for which Plaintiff herein sues.

NEGLIGENCE BY HON. RICK KENNON

23. Defendant HON. RICK KENNON, owed a legal duty of honoring and respecting the plaintiff disabilities and make reasonable accommodations in order for plaintiff to obtain a fair trial. Defendant breached this duty which proximately caused injury to Plaintiff. socially, emotionally, physically, financially and caused plaintiff to self isolate for weeks without any contact with people any food and endured extra

ordinary hardship. Plaintiff seeks all available damages for injuries caused by Defendant's negligence.

RETALIATION BY HON. RICK KENNON

25. Plaintiff alleges that Defendant HON. RICK KENNON, instituted a campaign of retaliation which included Imposing Temporary Orders that were unfavorable to plaintiff, delayed his hearings deliberately because he did not seriously consider plaintiffs legal claims had merit. This retaliation was and is due to Plaintiff exercising his rights by opposing a discriminatory practice, making a charge and testifying, assisting, or participating in an investigation or proceeding regarding an unlawful discriminatory practice. Plaintiff suffered damages for which Plaintiff herein sues.

SLANDER BY HON. RICK KENNON

26. Defendant HON. RICK KENNON, orally made a false statement of fact referring to Plaintiff which imputed a crime against Plaintiff and imputed a disease against Plaintiff. This was done negligently. Plaintiff suffered damages for which Plaintiff herein sues.

DAMAGES

35. Plaintiff sustained the following damages as a result of the actions and/or omissions of Defendant described hereinabove:

- a. Mental Anguish, Intimidation, Shame, abandonment,

- torture, pain and suffering isolation from familial and social relationships and adverse effect on plaintiffs two minor daughters;
- b. All reasonable and necessary Attorney's fees incurred by or on behalf of Plaintiff;
 - c. All reasonable and necessary costs incurred in pursuit of this suit;
 - d. Emotional pain;
 - e. Expert fees as the Court deems appropriate;
 - f. Inconvenience;
 - g. Interest;
 - h. Mental anguish in the past;
 - i. Mental anguish in the future;
 - j. Reasonable medical care and expenses in the past. These expenses were incurred by MOHAMMAD Q. MAHMOOD and such charges are reasonable and were usual and customary charges for such services in Travis County, Texas;
 - k. Reasonable and necessary medical care and expenses which will in all reasonable probability be incurred in the future;
 - l. Deprivation of seclusion;
 - m. Loss of use of private facts;
 - n. Physical pain and suffering in the past;

- o. Physical pain and suffering in the future;
- p. Cost of defending criminal suit;
- q. Injury to reputation;
- r. Mental Anguish, Intimidation, Shame, abandonment, torture, pain and suffering isolation from familial and social relationships and adverse effect on plaintiffs two minor daughters;; and
- s. stigmatism due to plaintiffs mental disability.

EXEMPLARY DAMAGES

36. Plaintiff would further show that the acts and omissions of Defendant complained of herein were committed with malice or reckless indifference to the protected rights of the Plaintiff. In order to punish said Defendant for engaging in unlawful business practices and to deter such actions and/or omissions in the future, Plaintiff also seeks recovery from Defendant for exemplary damages.

SPECIFIC RELIEF

37. Plaintiff seeks the following specific relief which arises out of the actions and/or omissions of Defendant described hereinabove:

- a. Prohibit by injunction the Defendant from engaging in unlawful employment practices;
- b. Issuing unfair and prejudiced temporary orders or

be recused from the case due to conflict of interest as a result of this suit and the pending appeals against Hon Judge in the 3rd Court Of Appeals in Austin, Texas;

c. Be ordered to accommodate ALL needed accommodations needed by plaintiff;

d. Set the trial for two months;

e. Recuse himself and have a visiting judge preside over the cases;

f. expedited the hearings of all pending motions and petitions;

g. Respectful communication with plaintiff;

h. Cease all "gossip" immediately about plaintiff;

i. Recuse himself from the Motion to Revoke Probation; and

j. Permit all evidence presented by plaintiff in his four lawsuits to be heard and examined by the jury.

PRAYER

WHEREFORE, PREMISES CONSIDERED, Plaintiff, MOHAMMAD Q. MAHMOOD, respectfully prays that the Defendant be cited to appear and answer herein, and that upon a final hearing of the cause, judgment be entered for the Plaintiff against Defendant

for damages in an amount within the jurisdictional limits of the Court; exemplary damages, together with interest as allowed by law; costs of court; and such other and further relief to which the Plaintiff may be entitled at law or in equity.

Respectfully submitted,

MOHAMMAD MAHMOOD PRO SE - FATHER

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**PLAINTIFF HEREBY DEMANDS TRIAL BY JURY IN HONORABLE JUDGE SAM
SPARKS COURT**